

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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METROPOLITAN LIFE INSURANCE
COMPANY,

Plaintiff,

04 Civ. 8804 (DFE)

- against -

MEMORANDUM AND ORDER

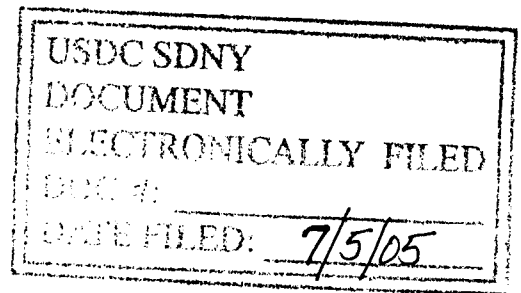
MURIEL Z. REICHLE and
THE JEWISH HOME AND HOSPITAL
FOR THE AGED,
Defendants.

-----x
DOUGLAS F. EATON, United States Magistrate Judge.

1. This interpleader ERISA action is an Electronic Case Filing ("ECF") case, but Judge Casey exempted the *pro se* defendant Muriel Z. Reichle from the ECF rules, so she will serve papers, and be served with papers, in the traditional manner under the Federal Rules of Civil Procedure (generally by mail).

2. On July 1, 2005, I held a two-hour conference with Ms. Reichle, and Allan Marcus (attorney for MetLife) and Linda Redlisky (attorney for The Jewish Home). All three signed a consent, pursuant to 28 U.S.C. § 636(c), that I will conduct all further proceedings in this action, including any trial and entry of final judgment. All three agreed to sign a stipulation that will call for MetLife to pay the disputed \$50,000 into this Court, and will call for the Court, upon such payment, to discharge MetLife and the relevant Plan from any and all liability with respect to the life insurance benefits on account of the death of Leonard Reichle. Mr. Marcus will promptly prepare and circulate such a stipulation. All three agreed to sign a stipulation that will discontinue The Jewish Home's lawsuit in state court. Ms. Redlisky will promptly prepare and circulate such a stipulation. At the July 1st conference, I also made the following scheduling orders.

3. By August 1, 2005, Ms. Reichle may serve Ms. Redlisky with written requests for up to 10 specifically described documents, and up to 10 interrogatories addressed to the former Administrator of The Jewish Home, and up to 10 interrogatories addressed to the current Administrator. If (and only if) I receive, by July 15, 2005, both of the stipulations described in Paragraph 2, fully signed, then Ms. Reichle may have an extra 30 days, until August 31, 2005, to serve these requests for

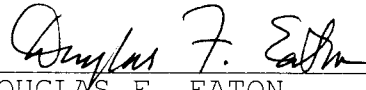


discovery.

4. On September 15, 2005, starting at 10:00 a.m. in Courtroom 18A, I will hold one settlement conference. In advance of this conference, and no later than September 9, 2005, Ms. Reichle and Ms. Redlisky must each send me a confidential ex parte letter as described in my Standing Order for Settlement Conferences (handed to them by my Courtroom Deputy on July 1st).

5. All discovery must be completed by October 31, 2005.

6. Any dispositive motion must be served and filed by November 21, 2005. Opposing papers must be served and filed by December 12, 2005, and any reply papers by December 19, 2005.



DOUGLAS F. EATON
United States Magistrate Judge
500 Pearl Street, Room 1360
New York, New York 10007
Telephone: (212) 805-6175
Fax: (212) 805-6181

Dated: New York, New York
July 5, 2005

Copies of this Memorandum and Order were sent on this date by mail to Ms. Reichle and by electronic filing to the attorneys:

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